

Date Received:

LAND MANAGEMENT DIVISION



TYPE II LAND USE APPLICATION – Validation of a Unit of Land (Research & Notice)

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 682-3577

For Office Use Only: FILE #

DEEDS : _____

FEE*:

Applicant (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Applicant Signature: _____

Agent (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Agent Signature: _____

Land Owner (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Land Owner Signature: _____

PROPERTY LOCATION

Township Range Section Taxlot Subdivision/partition lot/parcel block

Site address

Proposal: A request for a Type II (Planning Director) approval of a Validation of a Unit of Land determination and notice, pursuant to Lane Code 13.150.

*The fee for the legal lot research is a base fee plus a fee for each of the deeds and other documents relied upon to make a determination. When additional documents are required, fees will be charged for each document.

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings or conclusions.

ADJOINING OWNERSHIP Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

ZONING _____

ACREAGE: _____

Please make all copies single sided on 8 1/2" x 11" or 11" x 17" paper and DO NOT STAPLE.

REQUIRED SUBMITTALS

- A copy of the property description card for the subject property; This is available in the Lane County Assessment and Taxation Department, or at: <http://apps.lanecounty.org/propertyaccountinformation/>
- A copy of every deed listed on the property description card(s) for the subject property; Deeds are available at the Lane County Deeds & Records Office, 125 E 8th Avenue, Eugene, OR 97401.

How many deeds did you submit with this application? _____

- An illustration of each deed's description for the subject property. If multiple deeds utilize the same description, those may be consolidated into one illustration;

Clearly label each illustration as to what deed(s) it is related to.

- A narrative of how the parcel was created and changed over time. Attach additional pages if necessary.

Was this property used to qualify a tract for a dwelling? ___ Yes ___ No

- Any additional documentation that demonstrates how the subject property complies with the approval criterial.

APPROVAL CRITERIA

The provisions of Lane Code 13.150 allow Lane County to validate a unit of land that was not lawfully created under two options:

Option 1. Is not a lawfully established unit of land and could have complied with the applicable criteria for the creation of a lawfully established unit of land in effect when the unit of land was sold.

OR

Option 2. Is not a lawfully established unit of land and obtained a building permit from Lane County for the construction or placement of a dwelling or other building after the sale of the unit of land.

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Option #1: The unit of land is undeveloped:

- (1) *An application to validate a unit of land that was created by a sale or foreclosure that did not comply with the applicable criteria for creation of a unit of land may be submitted and reviewed pursuant to Type II procedures according to LC Chapter 14 if the unit of land:*
 - (a) *Is not a lawfully established unit of land; and*
 - (b) *Could have complied with the applicable criteria for the creation of a lawfully established unit of land in effect when the unit of land was sold.*

Answer the following questions to the best of your knowledge:

- The zoning designation for the unit of land at the time of original sale was _____ and the minimum lot size for creation of a new lot or parcel was _____ acres.
- The subject unit of land that was created by the sale was _____ acres in size. The “parent” unit of land from which it was divided was reduced to _____ acres in size as a result of the sale.
- At the time of the first sales date, was the subject property sold to increase the size of an adjacent property? (yes or no) _____

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Option #2: The unit of land was developed with County approved building permits:

- (2) *Notwithstanding subsection (1)(b), an application to validate a unit of land under this section may be submitted and reviewed if the County approved a permit, as defined in ORS 215.402, for the construction or placement of a dwelling or other building on the unit of land after the sale. If the permit was approved for a dwelling, the County must also determine that the dwelling qualifies for replacement under the following criteria:*
 - (a) *Has intact exterior walls and roof structure;*
 - (b) *Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;*
 - (c) *Has interior wiring for interior lights; and*
 - (d) *Has a heating system.*
- (3) *An application for a permit as defined in ORS 215.402 or a permit under the applicable state or local building code for the continued use of a dwelling or other building on a unit of land that was not lawfully established may be submitted and reviewed if:*

- (a) *The dwelling or other building was lawfully established prior to January 1, 2007; and*
- (b) *The permit does not change or intensify the use of the dwelling or other building.*

Provide all of the following information:

[] Attach documentation as evidence that the existing “dwelling” was lawfully built or placed:

- (a) A copy of the Lane County issued construction or placement permit BP _____; and a copy of the final inspection or confirmation from the Lane County Building Official that the final inspection was approved. Date of final inspection: _____.
- (b) Photographs of the exterior of the existing dwelling depicting all exposures (sides) and roof from ground level.
- (c) Photographs of the kitchen sink, bathroom toilet, and shower or tub.
- (d) A copy of the Lane County sewage disposal system installation permit SI _____, or confirmation from the Lane County Sanitarian of the existence of an approved system.
- (e) Photographs of interior lighting fixtures and a recent billing receipt or correspondence from the electrical service provider attesting to electrical service to the dwelling within the prior twelve-month period.
- (f) Photograph of the heating system (furnace, wood stove, solar, etc.).

[] OR, Attach documentation as evidence that the existing “accessory building” was lawfully constructed:

- (a) A copy of the Lane County issued construction permit BP _____; and a copy of the final inspection or confirmation from the Lane County Building Official that the final inspection was approved. Date of final inspection: _____.
- (b) Written description of the current use or uses of the existing building, e.g. shop, storage, etc.

- (4) *An application to validate a unit of land under LC 13.150 is an application for a permit, as defined in ORS 215.402. An application under LC 13.150 is not subject to the minimum lot or parcel sizes established by LC Chapters 10 or 16.*
- (5) *A unit of land only becomes a lawfully established parcel when the County validates the unit of land under LC 13.150 and according to that approval, the owner of the unit of land records a partition plat within 90 days of validation.*
- (6) *An application to validate a unit of land may not be approved if the unit of land was unlawfully created on or after January 1, 2007.*
- (7) *Development or improvement of a parcel created under LC 13.150(5) must comply with the applicable laws in effect when a complete application for the development or improvement is submitted as described in ORS 215.427(3)(a).*